

REMARKS

Applicant appreciates the Examiner's thorough consideration provided the present application. Claims 1 and 4-13 are now present in the present application. The specification and claims 1 and 4 have been amended. Claims 5-13 have been added. Claims 2 and 3 have been cancelled. Claim 1 is independent. Reconsideration of this application, as amended, is respectfully requested.

Specification Objections

The specification has been objected to due to the presence of minor informalities. In view of the foregoing amendments, in which the Examiner's helpful suggestions have been followed, it is respectfully submitted that these objections have been addressed. Accordingly, Applicant respectfully submits that these objections have been obviated and/or rendered moot. Reconsideration and withdrawal of these objections are respectfully requested.

Claim Rejections Under 35 U.S.C. §112

Claims 1-4 rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Claims 1-4 rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which

Applicant regards as the invention. These rejections are respectfully traversed.

In view of the foregoing amendments, it is respectfully submitted that these rejections have been addressed. Accordingly, all of the claims comply with the enablement requirement and are definite and clear. Reconsideration and withdrawal of the rejections under 35 U.S.C. § 112, first and second paragraphs, are therefore respectfully requested.

Claim Rejections Under 35 U.S.C. §§ 102

Claims 1, 2 and 4 stand rejected under 35 U.S.C. § 102(b) as being anticipated by McAllister, U.S. Patent No. 6,086,034. Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over McAllister. These rejections are respectfully traversed.

In light of the foregoing amendments to the claims, Applicant respectfully submits that these rejections have been obviated and/or rendered moot. As the Examiner will note, independent claim 1 has been amended to recite a combination of elements including “the bracing rack including a holding section at a top of the bracing rack”, “the rotary mechanism being attached to and held by the holding section”, “the rotary tray being fastened to the holding section”, and “the tray being rotatable relative to both the holding section of the bracing rack and the rotary tray”. Applicant respectfully submits that the above combination

of elements as set forth in amended independent claim 1 is not disclosed nor suggested by the reference relied on by the Examiner.

McAllister teaches a mouse pad support mounted on a keyboard support (see FIGs. 2 and 3). In particular, the Examiner construed the platform 38, generally, to be the bracing rack of claim 1. The Examiner also construed the mouse swivel arm 44, the ball member 62, and the socket member 64 as a whole to be the holding section of claim 1. Therefore, McAllister fails to teach “the bracing rack including a holding section at a top of the bracing rack” as recited in claim 1 because the combination of the mouse swivel arm 44, the ball member 62, and the socket member 64 is not a part of the platform 38 and is not at the top of the platform 38 (see FIGs. 2 and 3).

Since McAllister fails to teach “a holding section at a top of the bracing rack”, McAllister fails to teach “the rotary mechanism being attached to and held by the holding section” and “the rotary tray being fastened to the holding section” as recited in claim 1.

In addition, McAllister teaches the mouse pad table 42 is rotatable by rotating the ball member 62 relative to the socket member 64 (see FIGs. 4-6). Therefore, the mouse pad table 42 can rotate relative to the socket member 64, but cannot rotate relative to the ball member 62, the larger round element (referred to by the Examiner as the anchor tray), or the smaller round element (referred to by the Examiner as the rotary tray). In fact, the mouse pad table 42, the ball member 62, and the

larger and smaller round elements must rotate simultaneously.

Therefore, McAllister fails to teach “the tray being rotatable relative to ...the rotary tray” as recited in claim 1 because the tray 42 is non-rotatable relative to the smaller round element.

In addition, the Examiner construed the combination of the mouse swivel arm 44, the ball member 62, and the socket member 64 to be the holding section of claim 1. Therefore, McAllister fails to teach “the tray being rotatable relative to... the holding section of the bracing rack” as recited in claim 1 because the mouse pad table 42 is non-rotatable relative to the ball member 62.

Since McAllister fails to teach each and every limitation of amended independent claim 1, Applicant respectfully submits that claim 1 and its dependent claims clearly define over the teachings of McAllister. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 are respectfully requested.

Additional Claims

Additional claims 5-13 have been added for the Examiner’s consideration.

Claim 5 recites “during the swiveling of the tray relative to the holding section, the rotary tray is fixed and non-movable relative to the holding section”. Since the smaller round element (referred to by the Examiner as the rotary tray) is fixed and non-movable to the ball member

62 (see FIG. 5), during the swiveling of the mouse pad table 42, the smaller round element will simultaneously rotate with the ball member 62 and the mouse pad table 42. Therefore, the smaller round element is not fixed nor non-movable relative to the mouse swivel arm 44 and the socket member 64 (a portion of the Examiner's construed holding section). Accordingly, McAllister fails to teach the above recitation of claim 5.

Claims 6 and 10 recite "the holding section of the bracing section is horizontally non-pivotable to the movable arm". Since the Examiner's construed holding section is horizontally pivotable to the movable arm 32 (see FIG. 1), McAllister fails to teach the above recitation of claims 6 and 10.

Claims 7 and 11 recite "the nut engaged with the bolt is located at a bottom of the rotary tray". McAllister teaches that a bolt 112 is inserted into the smaller round element (referred to by the Examiner as the rotary tray) and the larger round element (referred to by the Examiner as the anchor tray); the bolt 112 is engaged with a nut on the larger round element (see FIG. 5). Therefore, McAllister fails to teach the above recitation of claims 7 and 11 because the nut is not at the bottom of the smaller round element.

Claims 8 and 12 recite "the holding section includes two arms separately from each other". Since the Examiner's construed holding

section does not have separated arms, McAllister fails to teach the above recitation of claims 8 and 12.

Claims 9 and 13 recite "the tray is a keyboard tray". Since the mouse pad table 42 is not a keyboard tray, McAllister fails to teach the above recitation of claims 9 and 13. In addition, although McAllister discloses a platform 38 for the keyboard 22, applying the rotary mechanism of the mouse pad table 42 to modify the platform 38 would not make the platform horizontally rotatable because the platform 38 is horizontally fixed onto the movable arm 32 by the pin 88.

Accordingly, Applicant respectfully submits that claims 5-13 are allowable due to the additional recitations included in these claims, as well as due to their respective dependence on independent claim 1.

Favorable consideration and allowance of additional claims 5-13 are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but merely to show the state of the prior art, no further comments are necessary with respect thereto.

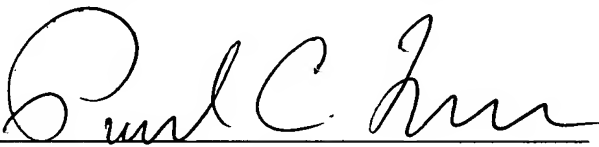
It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Joe McKinney Muncy, Registration No. 32,334 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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